

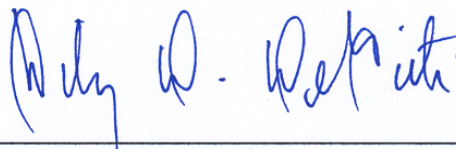
**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

KRISHNA PETTIES,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-14-292-D
)	
CAROLYN W. COLVIN,)	
Acting Commissioner of)	
Social Security,)	
)	
Defendant.)	

ORDER

The parties' Stipulated Motion for Award of Attorney Fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412 [Doc. No. 23] is **GRANTED**. Pursuant to the EAJA, Plaintiff is hereby awarded \$5,500.00 in attorney fees. The award must be made payable to Plaintiff as the prevailing party. *See Astrue v. Ratliff*, 560 U.S. 586, 595-98 (2010); *Manning v. Astrue*, 510 F.3d 1246, 1255 (10th Cir.), *cert. denied*, 129 S. Ct. 486 (2008); *Brown v. Astrue*, 271 F. App'x 741, 743-44 (10th Cir. 2008) (unpublished). In addition, if Plaintiff's counsel ultimately receives an award of attorney fees pursuant to the Social Security Act, 42 U.S.C. § 406(b), he must refund the smaller award to Plaintiff. *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).

IT IS SO ORDERED this 23rd day of October, 2015.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE